

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States Courts
Southern District of Texas
FILED

APR 24 2015

United States of America
v.

Tom Ineze Emasealu

Case No.

David J. Bradley, Clerk of Court

H15-553 M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/23/2015 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 18, United States Code,
Section 1028(a)(7)


Offense Description

Fraud in Connection with Identification
Documents, Features, and Information

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.



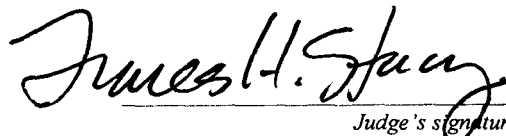
Complainant's signature

Anthony G. Rose, United States Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/24/2015



Judge's signature

City and state: Houston, TX

Frances H. Stacy, United States Magistrate Judge

Printed name and title

**Affidavit in Support of
Arrest Warrant**

1. I, United States Postal Inspector Anthony G. Rose, have been employed by the U.S. Postal Inspection Service since 1996. I am currently assigned to the Mail Fraud team in Houston, TX and have received specialized training in numerous Postal crimes, primarily those involving identity theft, mail fraud, and bank fraud related offenses. I have investigated hundreds of fraud cases and am very familiar with how identity thieves use victims' personal identifying information to obtain credit cards or in some cases use victims' stolen bank and/or credit card information to create counterfeit credit cards.
2. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that **Tom Ineze Emasealu** has committed violations of federal law.
3. In February 2015, Affiant received information from a Confidential Informant (CI) regarding a subject known to the CI only as "Tom" that allegedly possessed the equipment needed to create counterfeit credit cards. This CI has provided Affiant with information in the past that was reliable and credible and was corroborated by Affiant. Specifically, this CI has provided Affiant with credible information regarding West African individuals involved in credit card fraud in the Houston, Texas area.
4. Affiant learned from the CI that "Tom" was using credit card data stolen from victims' credit card magnetic strips via various means including "skimming" the victims' cards. "Tom" would then use his equipment to encode the magnetic stripe on the counterfeit card with the data stolen from the victims' credit cards. He also allegedly possesses the equipment to "emboss" or imprint the credit card numbers, account holder name, and other information on the counterfeit card to make it look as if it is a true credit card. The CI believed the counterfeit credit card equipment is contained at the residence of "Tom" but could only provide the license plate number of the vehicle that "Tom" was driving. This license plate number is a Texas plate DRF5543, which is registered to a Krystal Prophet on a 2010 blue BMW sedan.
5. Affiant checked this BMW license plate through the Texas Department of Motor Vehicles and found it to be registered to the address 14723 West Oaks Plaza Street, Apartment 337,

Houston, Texas 77082. Affiant also checked the license plate through Vigilant Solutions' LEARN database, which is a law enforcement database that uses cameras mounted on vehicles to photograph license plates and give the GPS coordinates of where that vehicle was located at the time it was photographed. By searching the tag in LEARN, Affiant was able to see it was located in front of one building at one particular apartment complex on multiple occasions recently and also late at night, indicating the driver of that vehicle most likely lived in or near that apartment building. The apartment complex was located at 12655 West Houston Center Boulevard, Houston, Texas 77082 and the vehicle was parked outside of Building 17.

6. Affiant further checked into Krystal Prophet, the registered owner of the blue BMW, and found one address associated with her was 12655 West Houston Center Boulevard, Apartment 17102, Houston, TX 77082. This apartment would be contained within Building 17 and where the BMW was seen multiple times by the LEARN cameras. Affiant went to this address on February 24, 2015 and saw the blue BMW bearing tag DRF5543 parked in front of Building 17. Affiant checked the mail going to the mailbox for Apartment 17102 and observed mail addressed to Tom Ineze Emasealu at that apartment address. Affiant obtained a Texas driver's license photo of Tom Ineze Emasealu with a date of birth of March 23, 1985 through the Texas Department of Public Safety and sent this photo to the CI, who confirmed that this was the credit card fraud subject known to him as "Tom".
7. On March 5, 2015, Affiant learned from the CI that Prince Ekwedike, owner of Panther Liquor located at 3234 Fondren Road in Houston, Texas, had been in contact with Emasealu regarding counterfeit credit cards. Specifically, Affiant learned that Ekwedike had made arrangements to provide Emasealu with credit card data to be used to create a counterfeit credit card for Ekwedike. Affiant learned Emasealu was to come to Ekwedike's Panther Liquor store on March 6, 2015 with the equipment needed to create the card for Ekwedike while they were at the store. Affiant provided the CI with specific card data that Ekwedike was to provide to Emasealu in order to create a counterfeit Chase Bank debit card with an account ending in 9932. The "track data" used to create this particular card is a long string of numbers and letters that are encoded into the magnetic stripe on the counterfeit card.
8. On March 6, 2015, Affiant and other Postal Inspectors, along with agents of the U.S. Secret Service, set up surveillance at Prince Ekwedike's store and also at Tom Emasealu's residence at 12655 West Houston Center Boulevard, Apartment 17102, Houston, Texas 77082. Affiant parked outside of Building 17 at the apartment complex and could see the blue BMW in the

parking lot and also the front door to Apartment 17102 on the ground floor. Affiant learned that Emasealu was to meet with Ekwedike at the store at approximately 1:00 p.m. that day. Affiant kept constant surveillance on Emasealu's apartment starting at 11:00 a.m.

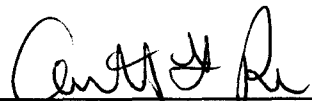
9. At 1:18 p.m., Affiant observed a black male matching the photo and build of Tom Emasealu exit Apartment 17102 carrying a brown satchel bag on his shoulder similar to a laptop computer case. An unknown black male and an unknown female met Emasealu in the parking lot near the BMW and the black male got in the passenger side of the BMW. Emasealu got into the driver's seat and the BMW exited the complex.
10. Other Postal Inspectors conducted mobile surveillance and maintained sight on the blue BMW driven by Emasealu as it traveled east on Richmond Drive in the direction of Ekwedike's store. The vehicle drove directly to Ekwedike's store where Emasealu and the unknown male entered Ekwedike's store. Physical and technical surveillance at Ekwedike's store showed that Emasealu used a laptop computer that was contained in the brown satchel bag and a device similar to a "wedge" (a device used to swipe credit cards but can also be used to encode cards) to create a counterfeit credit card with the data provided by Affiant encoded on the magnetic strip.
11. After the counterfeit card was created, Emasealu and the unknown black male got back into the blue BMW and Postal Inspectors followed the vehicle as it drove directly back to Emasealu's apartment complex. Affiant observed Emasealu exit the BMW, with Emasealu still carrying the brown bag on his shoulder, and both subjects enter apartment 17102. At that time the surveillance was ended.
12. Affiant obtained the actual credit card encoded for Ekwedike by Emasealu from the CI on March 6, 2015 immediately following the encoding. Affiant knows from the physical and technical surveillance that this card is the one provided to Ekwedike by Emasealu. Affiant used a computer magnetic strip reader to pull the information off of the magnetic strip of this credit card provided to Ekwedike, and it contained the same information Affiant had provided to the CI that was ultimately provided to Emasealu. In fact, the credit card provided to Ekwedike by Emasealu was actually a Bank of America Visa credit card bearing the name Tom I. Emasealu with and account number ending in 5214.
13. During March and April 2015, Affiant learned that Ekwedike and Emasealu kept in contact via

phone calls and emails regarding the credit card fraud scheme. Affiant also learned from the CI that Emasealu was involved in federal income tax refund fraud and had discussed involving Ekwedike in that fraud scheme also.

14. On April 15, 2015, Ekwedike sent "track data" from a First Convenience Bank MasterCard ending in 1781 to Emasealu using Emasealu's email address jobs96075@gmail.com. Affiant and other agents set up surveillance on Emasealu's residence at 12655 West Houston Center Boulevard #17102 and also Prince Ekwedike's store prior to the email being sent to Emasealu. Affiant observed Emasealu enter Apartment 17102 prior to getting the email from Ekwedike and approximately 30 minutes later Emasealu exited the apartment and got into the same blue BMW as before. Agents conducted mobile surveillance and observed as Emasealu drove directly to Ekwedike's store and delivered another credit card. This time the card delivered was a Wells Fargo Bank debit card ending in 3612 in the name Alcide Tebao. Affiant was able to take possession of the card immediately following this meeting and discovered the magnetic strip was encoded with the same MasterCard track data ending in 1781 that Ekwedike had provided to Emasealu.
15. On the March 6, 2015 transaction between Ekwedike and Emasealu, Affiant and other agents observed Emasealu drive directly from the apartment at 12655 West Houston Center Boulevard #17012 to Ekwedike's store with the laptop computer that was used to create the counterfeit credit card. On the April 15, 2015 transaction, Affiant and other agents observed as Emasealu left the same apartment #17102 shortly after receiving the track data information and again drive directly to Ekwedike's store. These facts confirm that Emasealu was conducting his fraud from Apartment #17102.
16. On April 17, 2015, Affiant obtained a Federal search warrant (case no. 4:15MJ497) for the residence at 12655 West Houston Center Boulevard #17102, Houston, TX 77082. On April 23, 2015, Affiant and other state and Federal agents executed the search warrant and found Tom Emasealu at the residence along with his sister Joan Emasealu and his girlfriend Krystal Prophet. During the search, Affiant found numerous computers, electronic storage devices, dozens of credit cards, gift cards, and other financial cards, a credit card skimming device that can be used to read and/or encode the magnetic strips on credit cards, and numerous documents. Affiant found a computer flash drive containing hundreds of victims' identifying information including Social Security Numbers and dates of birth. This information was accompanied by information indicating the victims' information was used to file false Internal

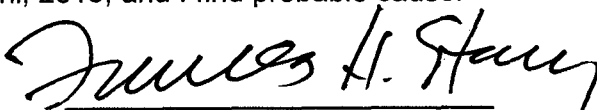
Revenue Service (IRS) tax returns in order to receive a tax refund. This information included Electronic Filing PIN numbers which are used to file tax returns electronically, and also bank routing numbers and account numbers that were used to electronically deposit the tax refund. The amount of the refund was listed underneath the account number.

17. Affiant contacted a victim with the initials B.S. after finding his personal information on the flash drive. The information located with the victim's personal information indicated an electronic tax return was filed in his name and the refund amount of \$6537.00 was deposited into a Metabank account ending in 6841. Victim B.S. stated he hasn't received a tax refund in over 20 years and he does not have a Metabank account. He also stated he does not know Tom Emasealu and did not authorize him to possess any of his personal information or to file a tax return in his name.
18. Based on the factors listed above, Affiant believes and has reason to believe that Tom Ineze Emasealu has committed violations of the crimes of Bank Fraud, Title 18, United States Code, Section 1028, Fraud in Connection with Identification Documents, Features, and Information.



Anthony G. Rose
United States Postal Inspector

Sworn and Subscribed to me this 24 day of April, 2015, and I find probable cause.



Frances H. Stacy
United States Magistrate Judge
Southern District of Texas